

RECORDATION

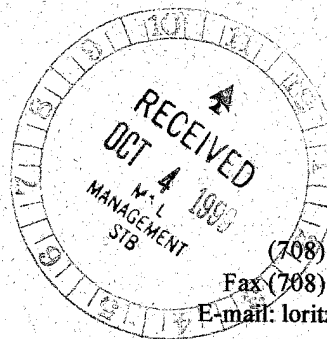
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OCT 19 99

9:00 AM

Law Offices of  
**Loritz & Associates**

1100 Ravinia Place • Orland Park, IL 60462



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Richard F. Loritz

Of Counsel:  
David Dineff  
Patrick Dwyer  
Thomas Grotta

September 29, 1999

Office of the Secretary  
Surface Transportation Board - Room 704  
Washington, D.C. 20423-0001

Attention: Janice Fort

RE: Lease of Locomotive Equipment  
National Railway Equipment Co., Lessor  
City of Tacoma, Lessee

Dear Secretary:

I have enclosed an original and one copy of the document described below to be recorded pursuant to Section 11303 of Title 49 of the U.S. Code.

This document is a lease of locomotive equipment and is a primary document dated May 10, 1999. The names and addresses of the parties to the documents are as follows:

**Lessor:** National Railway Equipment Co.  
14400 So. Robey  
P.O. Box 2270  
Dixmoor, IL 60426

**Lessee:** City of Tacoma

A description of the equipment covered by the document follows:

<u><b>Unit No.</b></u>	<u><b>Type</b></u>	<u><b>General Description</b></u>
3065	EMD	SD-40 3000 hp w/dyn.braking

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Secretary of State  
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A fee of \$26.00 is enclosed. Please return the original after recordation to:

Richard F. Loritz  
1100 Ravinia Place  
Orland Park, IL 60462

A short summary of the document to appear in the index follows:

A lease of locomotive equipment identified as locomotives, type EMD, SD-40  
3000 hp w/dynamic braking Locomotive, bearing reporting mark: #3065, with  
National Railway Equipment Co., as Lessor, and City of Tacoma, as Lessee.

Very truly yours,

NATIONAL RAILWAY EQUIPMENT CO.  
an Illinois Corporation

BY: 

RICHARD F. LORITZ

ITS: Attorney and Agent in Fact

RFL/ld  
Enclosures

22475  
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## MEMORANDUM OF LEASE AGREEMENT

THIS MEMORANDUM OF LEASE AGREEMENT is made and entered into as of May 10, 1999, by and between NATIONAL RAILWAY EQUIPMENT COMPANY ("Lessor"), and City of Tacoma ("Lessee"), with reference to the following:

1. Lessor has agreed to lease to Lessee, and Lessee has agreed to lease from Lessor, Locomotive model(s) described as an EMD SD-40 Locomotive bearing reporting mark(s): # 3065.

Each locomotive is fully-described in a certain Lease Agreement dated as of May 10, 1999 (together with all of the riders, schedules and other attachments thereto, collectively, the "Lease"), each between Lessor and Lessee. A Schedule of the equipment is attached hereto.

2. The Lease shall be effective as of the date hereof and shall be subject to the term specified in the Lease, and any extension of such term to the extent provided for in the Lease.

The Memorandum of Lease Agreement may be executed in any number of counterparts, each executed counterpart constituting an original but all together only one Memorandum of Lease Agreement.

ORIGINAL

IN WITNESS WHEREOF, the parties hereto have executed or caused this Memorandum of Lease Agreement to be executed as of the date first above written.

**LESSEE:**

CITY OF TACOMA

By: Ray E Corpuz

Name: RAY E CORPUZ

Title: CITY MANAGER

**LESSOR:**

NATIONAL RAILWAY EQUIPMENT COMPANY

By: Patrick C. Frangella

Name: Patrick C. Frangella

Title: Vice- President

ORIGINAL

STATE OF \_\_\_\_\_ )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 1999, before me appeared \_\_\_\_\_, the person who signed this instrument who acknowledged that (s)he is the \_\_\_\_\_ of \_\_\_\_\_ and that, being duly authorized, (s)he signed such instrument as a free act on behalf of said corporation.

\_\_\_\_\_  
Notary Public

[Seal]

My Commission Expires:  
\_\_\_\_\_

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF WILL )

On this 10<sup>th</sup> day of May, 1999, before me appeared Patrick C. Frangella, the person who signed this instrument who acknowledged that (s)he is an officer of **NATIONAL RAILWAY EQUIPMENT COMPANY** and that, being duly authorized, (s)he signed such instrument as a free act on behalf of said corporation.

Debra L. Radtke

Notary Public

[Seal]



My Commission Expires:

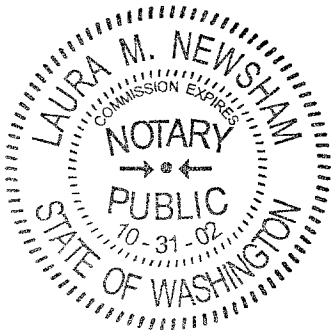
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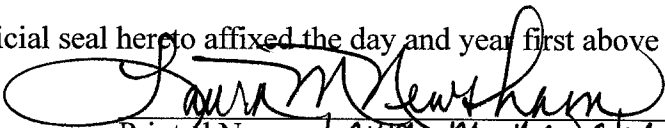
ORIGINAL

STATE OF WASHINGTON )  
 ) ss.  
County of Pierce )

On this 26<sup>th</sup> day of May, 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared RAY E. CORPUZ, JR., to me known to be the City Manager of the City of Tacoma, a municipal corporation, the entity that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said City for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.



  
Printed Name: Laura M. Newsham  
NOTARY PUBLIC in and for the State of  
Washington, residing at Tacoma WA  
My commission expires 10/31/02

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## SCHEDULE OF EQUIPMENT

Lessor: NATIONAL RAILWAY EQUIPMENT COMPANY

Lessee: CITY OF TACOMA

Approved by: *Penelope H. Hlean, for*  
(Lessee to initial each page)

Attached to Lease Agreement dated:

May 10<sup>th</sup>, 1999

Equipment Schedule No.: 3065

Equipment Located at:

300 Ninth Street North

Silvis, Illinois 61282

Manufacturer and/or Vendor  
Name & Invoice Number

National Railway Equipment Company

Equipment  
Description

EMD SD-40 3000 hp w/dyn. braking